

COMMISSIONERS RECORD 50  
FRANKLIN COUNTY  
Commissioners' Proceeding for May 6, 2009

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Rick Miller, Chairman; Bob Koch, Chair Pro Tem; and Brad Peck, Member; and Mary Withers, Clerk to the Board. County Administrator Fred Bowen was absent due to illness.

**OFFICE BUSINESS**

Secretary Patricia Shults met with the Board. Present in audience: Carrie Huie Pascua and Tri-City Herald Reporter Joe Chapman.

Consent Agenda

**Motion** - Mr. Peck: I move approval of consent agenda for Wednesday, May 6, 2009, as follows:

1. Approval of **joint Resolution 2009-170** in the matter of execution of an Amendment #1 to Agreement #07/09-SA-NECC between Nueva Esperanza Counseling Center and Benton and Franklin Counties' Department of Human Services, effective March 1, 2009 through June 30, 2009, thus, amending Franklin County Resolution 2007-382. (Exhibit 1: Information sheet.)
2. Approval of **joint Resolution 2009-171** in the matter of Amendment #2 of Agreement 07/09-RES-LCC between the Benton and Franklin Counties Department of Human Services and Lourdes Counseling Center for a compensation increase for 24-hour staffing of crisis stabilization beds in the Cullum House, effective March 1, 2009 through September 30, 2009, thus amending Franklin County Resolution 2007-522. (Exhibit 2: Information sheet.)
3. Approval of **Resolution 2009-172** appointing Brenda Alford to serve as a Franklin County representative to the TRAC Advisory Board.
4. Approval to submit letters of appreciation to Neva Corkrum and Terri Granados for their desire to serve as a Franklin County representative to the TRAC Advisory Board. (Exhibit 3)

Second by Mr. Koch. 3:0 vote in favor.

Vouchers/Warrants

**Motion** – Mr. Koch: I would move for approval of vouchers for fund expenditures in the total amount of \$517,863.42: Current Expense warrants 16396 through 16440 for \$12,471.44; Auditor O&M warrants 16441 for \$627.40; Sheriff/Sex Offender Grant

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warrant 16442 for \$112.00; Courthouse Facilitator warrant 16443 for \$720.00; Clerk LFO Collection Fund warrant 16444 for \$162.00; DUI Recovery Fund warrants 16445 through 16446 for \$3,263.68; and Current Expense warrant 16479 for \$500,506.90. Second by Mr. Peck. Mr. Peck asked if the vouchers are signed by the department heads.

Ms. Shults said yes. The \$500,506 amount is a loan repayment. 3:0 vote in favor.

(Exhibit 4)

Legal Notices

Ms. Shults said County Administrator Fred Bowen asked that the Board award the legal notices bid to the Franklin County Graphic for \$8.50 per column inch.

Mr. Peck said some constituents have asked him why we don't post legal notices in the Tri-City Herald. He said it obviously is because of cost. He asked if we have had any difficulties, legal or otherwise, using the Franklin County Graphic. The other Board members are not aware of any.

Mr. Miller said a lot of notices are simply required by law to be in the newspaper. When there is something more important, we can put it in the Tri-City Herald as well.

Mr. Miller asked staff to obtain figures showing the amounts that were paid to each newspaper.

**HUMAN SERVICES (HS)**

HS Director Carrie Huie Pascua met with the Board. Present in audience: Joe Chapman.

Contracts

New contracts are being prepared with all of our providers in all of our program areas because of the upcoming biennium which starts July 1. The Mental Health Division contract will be bridged (extended) for three months. She expects the contracts to use the current rates.

Developmental Disabilities (DD)

The State Division of Developmental Disabilities has prepared a contract that is being reviewed by the Prosecutor's offices now. It is much more specific than in the past about the priorities of the services and about the statement of work which needs to be

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provided. The change will impact The ARC of the Tri-Cities which is one of our largest providers in our community for DD services. The current contract is an employment services-only contract. The services they are currently providing will no longer fit the state's definition effective July 1 so they will have to restructure their services if they continue as a provider. We have written a formal letter to them asking if they will provide pre-vocational services as a qualified provider and expand their service certification. We asked them to let us know no later than May 18. They do provide a very valuable service.

The DD program specialist has been appointed to the Governor's Committee on Disability Issues and Employment and has been assigned to two additional subcommittees, Community Outreach and Governor's Employer Awards Program. It does mean some additional duties. We are pleased to have her appointed because she can make sure our concerns are represented on the governor's council.

Regarding the state DD budget and its impact on us, the nine-county region has successfully transferred 133 state-funded clients to Federal waivers so they are ahead of schedule. Until the budget is finalized by the governor, we are unsure of the figures, but we expect a 3% reduction.

#### Housing Services

A community planning meeting was held on Monday with 33 community stakeholders attending regarding the Community Trade and Economic Development (CTED) grant applications and stimulus dollars. They cast a ballot so we have all the supporting documentation to name the Community Action Committee (CAC) as the lead agency. They will be working with some subcontractors for some specific services.

Based on the votes, we're looking at a 70% allocation of stimulus funds for prevention and 30% for the rapid re-housing. It will represent \$750,000 for the bi-county area. There is some flexibility but based on the information that they understand in terms of the purpose of the stimulus dollars, prevention is a key piece. Three county certification forms will be coming your way. They have been prepared. We hope to have them on your agenda for Monday, May 11.

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Ms. Huie Pascua recommended that the Board sign off on the county certification to name CAC as a lead agency in all of those funding streams and also recommended that the stimulus dollars be at a 70-30 split. The Board had no questions.

Regionally Assisted Collaborative Housing (REACH) Program

REACH is the newest program for Human Services in terms of housing. We are a six-county region. It is well under way. The program is expanding. A job announcement is being reviewed by personnel departments for the new three-year Federal contract. The Spokane office approached us to take on the entire project but we let them know it was too vague for us to consider that type of commitment.

They're very pleased with our work. They have adopted some of the forms we developed for other similar projects and are replicating our forms and our accountability measures.

Homeless Grant Assistance Program (HGAP)

There is one year left of the three-year HGAP pilot program. We've already met our match contribution for both counties. It is still under expended. It involves a lot of reintegration and case management services, done by CAC. The program assists inmates that are leaving both Benton and Franklin County Jails who have a mental illness and are either homeless or at risk of being homeless.

Ms. Huie Pascua thinks it is a hand up rather than a handout because it connects users to services to prevent reincarceration.

Mental Health

Ms. Huie Pascua told the Board about the work being done to update the interlocal agreement for Greater Columbia Behavior Health (GCBH) involving a governing board made up of county commissioners and an operating board. Mr. Peck asked if the new structure is better. Ms. Huie Pascua said yes.

Mr. Koch serves on GCBH and said he expects the new interlocal agreement to be signed at a meeting tomorrow. However, if anyone has any changes, it will be brought back to individual Boards of Commissioners.

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Mr. Koch said Ms. Huie Pascua is his alternate and he gave her proxy to vote for him on the board. Mr. Koch is against having a national search for a new director because of the cost and ineffectiveness in finding a director when it was done in past years.

Crisis Intervention Team Training (CIT)

There was excellent representation from Franklin County, Pasco Police Department and other jurisdictions at the CIT. Franklin County Dispatch participated. The training involves mental illness and/or co-occurring mental illness and substance abuse.

Rapid Enrollment Clinic

The Rapid Enrollment Clinic that was started recently with Lourdes has been highly successful. It has met our goal to very quickly identify individuals who meet criteria for mental health programs for publicly funded mental health services.

Suicide Prevention Outreach

Because of an increase in the number of completed suicides, a Suicide Prevention Outreach program has been started. A bid for \$30,000 will be put out that will be used in increments of up to \$10,000 per agency. The work will involve educating our community and educating the public about the signs and symptoms and what you can do to help prevent suicide.

Reductions in budgets for mental health services

The reductions are expected to be a little more than 7% in state-only dollars and a little more than 3% from Federal dollars.

Substance Abuse and Prevention Services

There is a total state reduction of \$12 million for substance abuse and prevention services.

Restructuring at Substance Abuse Detoxification Center in Pasco

Ms. Huie Pascua told the Board the restructuring has been highly successful, reducing beds for substance abuse detoxification to four beds and reconfiguring to eight

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beds for crisis stabilization. The beds are practically full. The center was underutilized before.

**PLANNING AND BUILDING DEPARTMENT**

Planning Director Jerrod MacPherson met with the Board.

Public Hearing: Text Change TC 2009-01, a text change application to amend the Franklin County Development Regulations – Subdivision Ordinance 2-2008. The amendment will focus on Chapter 8, Short Subdivision and other sections of the code that may require modifications to ensure consistency with the Growth Management Act, RCW 58.17, and the Franklin County Growth Management Comprehensive Plan/Zoning Code.

Public Hearing convened at 9:46 am. Present: Commissioners Miller, Koch and Peck; Planning Director Jerrod MacPherson; and Clerk to the Board Mary Withers. Present in audience: Joe Chapman, Bob Alberts from City of Pasco, Bob Hooker from Washington State Department of Transportation (WSDOT) and Ivan Halvorson.

Mr. MacPherson reviewed the information on the Action Summary (Exhibit 5).

He said we previously met with the Board to discuss this issue about administrative review of short plats and decided to move forward with the text change. It is to review the process for the administration of short plats. Currently they are reviewed through the Board of County Commissioners. We held a public hearing with the Planning Commission in April. They voted unanimously in favor of the change. The state has a 60-day review period. We requested an expedited review due to the minor change and the state granted that change.

Mr. MacPherson said we're considering amending two chapters. He reviewed the two changes. He showed materials on the screen that the Board has previously seen.

Mr. Peck asked if we had any issues or feedback from the state prior to Mr. Peck's conversation with Mr. MacPherson asking for the change to be made. Were there any challenges? Mr. MacPherson said no.

Mr. Miller asked three times if anyone would like to speak as a proponent for the text change. There was no response.

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Mr. Miller asked three times if anyone would like to speak as an opponent of the text change. There was no response.

Mr. Peck thanked Mr. MacPherson for taking this issue on. He said we had a conversation about looking at ways to improve customer service and improve efficiency in county government.

Mr. Miller expressed his appreciation also. He asked if the Board members will still be informed about short plats. Mr. MacPherson said yes. He said if we get some controversial ones, we will certainly notify the Board. He said we always like to meet with the applicants and have pre-application meetings and make sure they are aware of what the requirements are. If the application is not consistent, we probably won't have a favorable recommendation.

Bob Alberts, City of Pasco, said when the matter was discussed at the city, there was a concern about how do you let somebody know what piece of property is being considered for a short plat and about signage on the property. How can signage be on the property to make sure everyone is aware, versus in the mail or newspaper?

Mr. Peck said there is also a public notice requirement.

Mr. MacPherson said the county posts land use action signs on the properties.

Mr. Koch thanked Mr. MacPherson for his work to prepare this matter and expediting it.

**Motion** – Mr. Koch: I would grant approval for Text Change Application TC 2009-01 subject to the four findings of fact. Second by Mr. Peck. 3:0 vote in favor. This is Ordinance 6-2009. (Exhibit 6)

## **PUBLIC WORKS**

Engineer Tim Fife and Bob Hooker, Assistant Project Engineer, Washington State Department of Transportation (WSDOT), met with the Board. Present in audience: Joe Chapman, Bob Alberts, Ivan Halvorson and Tom Wilson.

### **Tank Farm "A" Street Interchange Results**

Mr. Fife explained the history of the project. Mr. Hooker gave a presentation about the results of the study.

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Mr. Hooker gave a report using the screen and a brochure (Exhibit 7). He explained why at-grade intersections are removed if possible. He noted that the accident figures that are used do not capture all of the near-misses.

Mr. Hooker said the design and construction phases are currently unfunded. WSDOT will continue to support the project. It is on the WSDOT long-range systems plan and on the Benton-Franklin Council of Governments Transportation Improvement Program (TIP).

Mr. Peck said one of the things he has been pressing for about a year is the idea that with the discussion of another bridge crossing on the Columbia River and where that should be, I have been advocating that it should be down in this region (indicated) for several reasons:

One is to drive some additional development down here, which is consistent with what Mr. Hooker said about this frontage road;

Two, to distribute the current traffic over the current bridges, in particular the truck traffic;

Three, to take that Highway 395 traffic southbound out of Spokane and get it across the river to connect with the new bypass in Finley, to keep HAZMAT and other materials from going through the middle of Kennewick on Highway 395;

and especially for the point if we put another bridge between the existing bridges, we might reduce congestion on any given bridge but I believe we would just relocate that congestion to whatever feeder goes to it. Especially on the Road 68 option, you would create I think even worse congestion on that interchange because it becomes a feeder for that bridge. You would just relocate that congestion.

Mr. Peck asked with that as a backdrop, my question is, is there anything in this that jumps out to you that would be inconsistent or work against the concept of bringing a bridge down to this area? Mr. Hooker said no, he thinks it could work in conjunction.

Bob Alberts of City of Pasco said a planning process has been ongoing for well over 20 years regarding what is needed for the region. About 20 years ago a study was done that determined interchanges were needed at Lewis Street, Hillsboro, Foster Wells,

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and somewhere along A Street to Sacajawea State Park. Two of the interchanges have been built.

Mr. Fife said the Burbank interchange south of this area will be built next year.

Mr. Peck said we have a tremendous transportation asset in that corner of the county with air, rail, truck and barge traffic. He realizes no decision has been made about if a bridge would be built or how it would be funded or where it would be located but he would continue to encourage you as you continue to look at this to at least in the back of your mind think how that might be incorporated to make maximum advantage of the port and how it would drive development, especially between the highway and the port in terms of low impact light industry and manufacturing that can take advantage of those transportation modes. This interchange obviously helps access to that.

Mr. Hooker said that is a key point. He said we have been working with the Port of Pasco, City of Pasco, and Mr. Miller.

Mr. Hooker said as of 2010 we'll be starting the Highway 124/Highway 12 interchange. Once it is completed, there will only be three at-grade intersections on the entire corridor: A Street, Tank Farm and Sacajawea.

#### Other Business

The Public Works policy regarding irrigation water on roads has been distributed to the Sheriff and other departments for comments.

#### Solid Waste Funding

The state funding for Solid Waste is not known yet.

#### Vehicles

Mr. Peck told Mr. Fife he appreciated the vehicle cost analysis that he received.

**Recessed** at 10:35 am.

**Reconvened** at 10:43 am.

#### **PEST CONTROL BOARD**

Pest Control Director Tom Wilson met with the Board. Present in audience: Joe Chapman, Ivan Halverson, Christy Batayola and Clyde Foster.

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Update

Mr. Wilson gave the Board samples of the handouts that are used from the Pest Control office. He told the Board about the general activities of the Pest Control office. The work includes Cherry Leaf Roll Virus work, flowering pears monitoring, and derelict or abandoned orchard monitoring or removal.

Request for Nuisance Ordinance

Mr. Wilson described a situation where a circle sprinkler end gun on a hay field was hitting 150' into a neighboring orchard. Potential problems were: washing sprays off trees, mildews and molds by overwatering on the trees, and chemicals for the hay being applied to the trees. The two property owners were able to resolve the problem. The Pest Control staff are continuing to monitor the situation.

Mr. Wilson said the county's Code Enforcement does not have anything to help with this type of situation. He was told the county does not have a nuisance ordinance. There is some kind of state chemical trespass law.

Mr. Peck asked so you're advocating for a county ordinance that would give your program the authority to get involved in a situation like the one you described on the basis that it might be creating an environment for pests that could be a threat to the industry? Mr. Wilson said us or Code Enforcement, either way.

Mr. Peck said the property I live on was one of the first orchards here in 1908. Under this program, now the old apple and pear trees are gone.

**PUBLIC HEARINGS:**

Public Hearing: Eltopia CDBG Planning Only Grant

Public Hearing convened at 10:56 am. Present: Commissioners Miller, Koch and Peck; Christine Batayola with Harms Engineering and Clerk to the Board Mary Withers. Present in audience: Joe Chapman, Ivan Halverson and Clyde Foster.

Ms. Batayola said the public hearing is for the application for Franklin County on behalf of Eltopia Water Association for a planning-only grant through the Community Development Block Grant (CDBG) program. There are handouts on the CDBG program in English and Spanish. These are grants that are made available to areas that have over

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50% low to moderate income and the Eltopia Water System did an income survey and qualified for that.

We're requesting \$25,000 for the planning-only grant. That would be used jointly with a grant from the Department of Health to do all the planning that's required for this project. The Eltopia system is a small system located in Eltopia that serves 24 households and one church. They have issues with high arsenic, high nitrates, and also have a well that's classified as groundwater under the influence of surface water so it has to be chlorinated and monitored more closely because it could be contaminated easily. This planning grant would fund the feasibility study into what kind of alternatives there are for Eltopia, what the deficiencies are, and improvements that would be recommended. We're going to be looking at whether it's feasible to form a combination with other small systems that are in that general area. The grant would also pay for the water system plan that will be required by the Department of Health, it would pay for an environmental report, and if one is required, a cultural resources survey and a biological assessment, and the Engineer's project report as required by the Department of Health.

We've already received a grant from the Department of Health and we've been hired by the Benton-Franklin Council of Governments (BFCoG) to work on the feasibility study portion. This would be able to fund some of the other planning documents that would be needed.

Mr. Koch asked basically this planning-only grant is just a pass-through for Franklin County? Ms. Batayola said yes. Franklin County did sponsor a planning grant for the Clarktown Beneficial Water Systems and based on that planning grant, then you went on to sponsor the community investment fund grant.

Mr. Miller asked three times if there are any opponents that would like to speak. There was no response.

Mr. Miller asked if there are any proponents for the grant.

Ivan Halvorson, president of Eltopia Water Association, 201 Tacoma Street, Eltopia, Washington, said I'm in favor.

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Mr. Miller asked twice more if there are any proponents for the grant. There was no response.

Ms. Batayola said the application will be finalized over the next few weeks. The public hearing is a chance to get public comment and make sure the public agrees with the grant application.

Public Hearing: Clark Addition Water System Close-out Project

Public Hearing convened at 11:03 am. Present: Commissioners Miller, Koch and Peck; Christine Batayola with Harms Engineering and Clerk to the Board Mary Withers. Present in audience: Joe Chapman, Ivan Halverson and Clyde Foster.

Ms. Batayola said the hearing is for the closeout of the Clark Addition Water System grant. She said Clyde Foster, the president of the Clark Addition Water Association, is present. She showed the Board some photos of the project including the booster station building, the reservoir and the generator.

There was a \$670,000 grant in combination with a loan from the Drinking Water State Revolving Fund. A new 500' deep well was put in. Now the nitrates are below the mcl. They did a new reservoir holding 23,500 gallons, a booster station, an entirely new distribution system of 4" water lines, and connected to 70 residences. We did merge three separate systems: Dixon, Clarktown and Beneficial. The domestic system and the irrigation system are separate. The contractor has just finished the work so we're closing out the contract now and trying to solve a few little issues we have with the system.

The work is complete. What remains is closing out the change orders, the final pay estimates, and the final submittals. That's what we're doing right now. The grant money has all been spent so any of the remaining pay affects the loan now, which is not through the county at all.

The hearing is to obtain public comment on whether this was a good project.

Mr. Miller asked three times are there any opponents against the closeout of the Clark Addition Project. There was no response.

Mr. Miller asked if there are any proponents of the project.

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Clyde Foster, President, Clark Addition Water Association, 7106 Road 36, Pasco, spoke in favor. He said thanks to the county's help originally, which we didn't expect to get, the project got off the ground. We're just down to the last nits and bits. We have clean water in 70-plus homes, a dependable system along with the clean water. We're not over budget; we came in under budget. We're a little bit long on time but are closing out within 30 days of the project schedule. So overall, I have nothing but high grades from our customers so it was well worth what we put into it to get clean, safe drinking water. I know that's what these other places like Eltopia are going through. We did combine three different communities actually into one community and it made it a lot better. People got to know each other. We've got more camaraderie between neighbors. It did a lot of things out there, all good things.

Mr. Miller asked twice more if any proponents for the closeout of Clark Addition water project would like to make comments. There was no response.

Mr. Koch asked how many homes the system is geared for. Ms. Batayola said it's been approved for 80 connections. There are 70 or 71 that are connected now. One was added recently.

Mr. Peck asked who is responsible for the payoff on the loan, a homeowners association? Ms. Batayola said the Clark Addition Water Association has the low interest loan through the state on a 20-year term.

Mr. Peck asked about the legal structure of the water association. Mr. Foster said we are an incorporation through the state with five board members. We have regular meetings. We have a rate structure. We are a non-profit private association.

Ms. Batayola said the public hearing is required but no resolution is needed.

#### **LEGAL NEWSPAPER BID AWARD**

The Board reviewed budget information about the amounts spent on legal advertisements in 2008 and 2009.

**Motion** – Mr. Koch: I would move for approval of Franklin County Graphic. Second by Mr. Peck. 3:0 vote in favor. (Exhibit 8)

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**Executive Session** at 11:22 am to review performance of a public employee based on RCW 42.30.110(1)(g) expected to last 15 minutes.

**Executive Session** continued at 11:37 am expected to last 15 minutes.

**Open Session** at 11:52 am.

**Adjourned** at 11:52 am.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until May 11, 2009.

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

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Chairman

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Chairman Pro Tem

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Member

Attest:

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Clerk to the Board

Approved and signed May 27, 2009.